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# State investigating claims that toxic spill was deliberate

MODENA, Iron County (AP) — Landowners' allegations that a toxic waste spill last November might not have been an accident are being investigated, said Fred Nelson, assistant Utah attorney general.

A slurry containing cyanide was spilled onto the mountainside below a holding tank containing the solution used to separate silver ore, said Nelson and Tom Higbee, attorney for Kinetic Mineral Inc.

The company is reopening the State Line Mine 10 miles north of Modena.

Area landowners were concerned about the spill and also about a state-approved tailings pond.

Kinetic said the spill was from a broken line feeding the tailings pond, but some landowners allege the tank might have been drained purposely.

Nelson said his office hopes to receive an answer from Kinetic officials this week. A report on the investigation will be published.

Employees held test runs of the operation until weather forced them to stop in November, Higbee said.

Four tanks, three holding water, were drained Nov. 18 to avoid freezing damage, Higbee said.

He said the tanks containing water were dumped on

the hillside, while the fourth tank, containing the toxic solution, was drained into a tailings pond via a pipeline.

"The foreman discovered a leak in the line and stopped the draining immediately," but some of the solution had already spilled into a nearby stream, Higbee said.

Workers doused the spill area and the remaining solution in the tank with an agent that neutralized the cyanide, he said.

Landowners notified state health official Wayne Thomas of the spill, and Thomas ran soil and water tests, Nelson said.

Nelson said snow and rain storms before the tests could have washed the solution away from the exact area of discharge, making it difficult to make any conclusions until Kinetic submits its report.

Stockmen in the Hamblin Valley also are worried about the tailings pond constructed in a stream bed.

Richard Flinspach, a cattleman, said, "They shouldn't have built in the bottom of the canyon so near the surface water."

Nelson and state Health Department officials decline to disclose the results of the test.